UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA SOUTHERN DIVISION

No. 7:02-CR-110-1-F

UNITED STATES OF AMERICA,)	
)	
v.)	<u>ORDER</u>
)	
REGINALD JONES,)	
Defendant.)	

By order of February 15, 2012, the court denied Reginald Jones's motion for an order permitting him to be re-sentenced under without consideration of his prior conviction for escape.

See Order [DE-47]. In his most recent motion, also entitled "Motion for Resentencing," [DE-48], Jones relies on a Washington state court opinion construing a Washington state statute concerning the constitutional sufficiency of evidence to support a sentencing court's finding of a defendant's criminal history status. See Washington v. Hunley, 287 P.3d 584, 589 (Wash. 2012) (en banc) (citing pertinent portions of Washington's Revised Code).

The Washington Supreme Court's interpretation of a Washington state statute is not binding with regard to a federal conviction and sentence in the Eastern District of North Carolina. This court's precedent is set by the Fourth Circuit Court of Appeals and the United States Supreme Court.

For the foregoing reasons, Jones's Motion for Resentencing [DE-48] is DENIED.

SO ORDERED.

This the 30th day of November, 2012.

JAMES C. FOX

Senior United States District Judge